

REMARKS

Applicant is in receipt of the Office Action mailed April 14, 2009. Claims 1-33 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Claims 1, 12, and 23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Warshavsky et al. (U.S. Patent No. 6,732,095, hereinafter “Warshavsky”). Claims 1-7, 11-18, 22-29, and 33 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wray (U.S. Patent Application Publication No. 2001/0010076). Claims 8, 9, 19, 20, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wray. Claims 10, 21, and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wray in view of Miller et al. (U.S. Patent Application Publication No. 2005/0100016, hereinafter “Miller”). Applicant respectfully traverses the rejections in light of the following remarks.

Anticipation under § 102(e) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Warshavsky fails to disclose each and every element of the claimed invention.

Applicant respectfully submits that Warshavsky does not teach or suggest a method comprising “translating the message from an original format to a portable format on the first computer system, thereby generating a portable message, wherein the portable message comprises metadata which comprise identifying characteristics of the source application” as recited in claim 1. In particular, Warshavsky does not teach or suggest that the portable message comprises metadata which comprise identifying characteristics

of the source application. The Examiner cites Warshavsky at col. 4, lines 65-67 and col. 5, lines 20-30.

In col. 4, lines 65-67, Warshavsky discloses that “[a]n XML converter 116 maps the set of relational data to an XML document 104 using the set of XML Mapping Definitions 114 constructed for a particular application.” Although Warshavsky thus teaches that the XML Mapping Definitions are constructed for use with a particular application (e.g., an application associated with the relational application database that maintains the relational data), Warshavsky does not teach or suggest that the resulting XML document comprises metadata which comprise identifying characteristics of the source application.

In col. 5, lines 20-30, Warshavsky further discloses that the XML Mapping Definitions may be automatically populated through use of a Metadata Wizard. The XML portion of the mapping may be “fixed by the external metadata,” but “the default relational portion can be defined by the XML Metadata Wizard.” However, there is no teaching or suggestion that Warshavsky’s reference to “external metadata” is a reference to metadata which comprise identifying characteristics of the source application. Instead, this portion of the disclosure merely teaches that some elements of the XML Mapping Definitions are fixed (i.e., generic) while other elements are dependent on the relational data to be mapped. Therefore, Warshavsky again fails to teach or suggest that the resulting XML document comprises metadata which comprise identifying characteristics of the source application.

In the “Response to Amendment” section of the current Office Action, the Examiner argues that the XML Mapping Definitions are used “in order to properly define the data being passed,” and, therefore, “the XML Mapping Definitions provide characteristics of the application, such characteristics in the least being the format of the data, and how such data is used, i.e. the type of the data.” The Examiner further argues that this “clearly identifies a characteristic of the source application as it identifies the type of data used by the source application.” Applicant respectfully submits that the

Examiner is attempting to blur the distinction between characteristics of the data and characteristics of the application. While the XML Mapping Definitions may provide characteristics of the data such as the data format and/or data type, Warshavsky does not teach or suggest that these characteristics of the data produced by the source application comprise identifying characteristics of the source application. Even assuming *arguendo* that Warshavsky discloses characteristics of the application, Warshavsky still does not teach or suggest that a portable message comprises metadata which comprise identifying characteristics of the source application.

Additionally, Applicant respectfully submits that Warshavsky does not teach or suggest a method comprising “routing the portable message to a target application on the second computer system based on the metadata which comprise the identifying characteristics of the source application” as recited in claim 1. The Examiner cites Warshavsky at col. 7, lines 44-49. In col. 7, lines 44-49, Warshavsky discloses that “[f]or conversion of an XML document 104 to relational data 112, the XML Converter 116 matches elements and attributes in the XML document 104 to the components and fields in the XML mapping definition 114 which is used to create data for tables, records, and columns.” Therefore, Warshavsky teaches that the inverse of the original relational-data-to-XML mapping may be performed in order to populate a relational database with the data in the XML document. Nevertheless, Warshavsky does not teach or suggest that the XML document is routed to a target application on the second computer system based on the metadata.

Anticipation under § 102(b) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Wray fails to disclose each and every element of the claimed invention.

For example, Applicant respectfully submits that Wray does not teach or suggest a method comprising “routing the portable message to a target application on the second computer system based on the metadata which comprise the identifying characteristics of the source application” as recited in claim 1. The Examiner cites Wray at paragraphs [0151], [0158], and [0159]. In paragraph [0151], Wray discloses the secure exchange of XML documents over transports such as HTTP and e-mail. In paragraphs [0158] and [0159], Wray discloses the exchange of XML data over a secure connection between a client application and a broker application. However, Wray does not teach or suggest that a portable message is outed to a target application on the second computer system based on the metadata which comprise the identifying characteristics of the source application. Furthermore, although Wray discloses in paragraph [0099] that an application identification field may contain the application name (e.g., “Hewlett-Packard/e-speak”), Applicant can find no teaching or suggestion in Wray for routing the portable message to a target application on the second computer system based on the application identification field.

In the “Response to Amendment” section of the current Office Action, the Examiner notes that Wray discloses that the “metadata defines resource type, attributes and security properties” (Wray, paragraph [0155]) as well as the client establishing a secure connection with a broker application (Wray, paragraph [0158]). The Examiner then argues: “As such, it is clear that the message is passed to the resource based on the metadata as the metadata is the data that contains resource type, attributes and security parameters.” However, Applicant can find no such teaching or suggestion in Wray.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 12, and 23 are patentably distinct over the cited references. The dependent claims are patentably distinct at least due to their dependence on the independent claims. An example of a dependent claim reciting further distinctions over the cited art is discussed below.

Applicant respectfully submits that Warshavsky does not teach or suggest a method comprising “determining whether an existing instance of the application type of the target application is running on the second computer system; wherein the routing the portable message to the target application comprises routing the portable message to the existing instance if the existing instance of the application type of the target application is running on the second computer system; and wherein the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system” as recited in claim 2. The Examiner again cites Wray at paragraph [0158]. In paragraph [0158], as discussed above, Wray discloses the exchange of XML data over a secure connection between a client application and a broker application. In particular, Wray discloses that “client 93 can establish a secure session 97 over an HTTP connection with broker application 98 running on system 96 and make use of core 95 to locate a target resource 100.” However, locating a target resource is not equivalent to determining whether an existing instance of the application type of the target application is running on the second computer system. In the “Response to Amendment” section of the current Office Action, the Examiner argues that “locating a resource ultimately requires that the resource/application be running in order to locate it.” Applicant can find no such teaching or suggestion in the cited references.

Additionally, for at least the reasons discussed above with respect to claim 1, Wray does not teach or suggest routing the portable message to the existing instance if the existing instance of the application type of the target application is running on the second computer system or routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system. Applicant respectfully submits that claim 2 is patentably distinct over the cited references. Claims 13 and 24 are patentably distinct over the cited references for at least the same reasons.

Because the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

Accordingly, Applicant respectfully requests withdrawal of the § 102(b) rejections, the § 102(e) rejections, and the § 103(a) rejections.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5602-12300/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/

Jeffrey C. Hood, Reg. #35198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: 2009-06-15 JCH/RPH